



**MINUTES
CITY COUNCIL MEETING
January 31, 2022**

CALL TO ORDER

The meeting was called to order at 6:30pm.

Present: Mayor: Charlie Miner; Council: Jahn Dyvik, Mike Feldmann, and Deirdre Kvale

Staff Present: City Clerk: Jeanette Moeller; Public Works Director: Sean Diercks

Absent: Council: Gina Joyce (with prior notice); City Administrator: Scott Weske (with prior notice)

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENTS – LONG LAKE NEWS, MEETING REVIEW AND UPDATES

Mayor Miner reported that the Council had met in a work session prior to the regular meeting at which they discussed the 2022 City Goals, which will also be covered later in this meeting.

He also reminded residents about the Orono Lions Snowball Open event which will be held on February 5, 2022 on the ice in front of Birch's on the Lake.

APPROVE AGENDA

A motion was made by Dyvik, seconded by Feldmann, to approve the agenda as presented. Ayes: all.

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of January 18, 2022 City Council Work Session
- B. Approve Minutes of January 19, 2022 City Council Meeting
- C. Receive Unofficial Draft Minutes of January 18, 2022 EDA Meeting
- D. Approve Vendor Claims and Payroll
- E. Approve Issuance of a 1 to 4 Day Temporary On-Sale Liquor License for the Church of St. George 2022 Festival of Music Dinner on Saturday, February 19, 2022
- F. Accept the Resignation of Ben Rasmuson from the Long Lake Fire Department
- G. Adopt Resolution No. 2022-08, Approving the Hennepin County Residential Waste Reduction Agreement, Contract No. PR00003884, and Authorizing the Mayor, City Administrator or his Designee to Execute Said Agreement with Hennepin County

A motion was made by Miner, seconded by Feldmann, to approve the Consent Agenda, as presented. Ayes: all.

OPEN CORRESPONDENCE

Judd Axelson, 1790 Martha Lane – Mr. Axelson shared that in addition to living in the City, he also just moved his business to the City. He stated that he wanted to follow up with the Council about a conversation he had with them about a year ago regarding the Long Lake Rowing Crew (LLRC). He recalled that last year he had wanted to bring to the Council's attention that there is an

increased risk of using the lake because of the density of the LLRC's presence. Over the past year their presence has not decreased, but increased. Safety concerns from a year ago are still there and are even more pronounced at this point. In a conversation that the LLRC had with the general public, they said that they had two coaches boats which are Coast Guard rated to handle eight rowers each. They consistently break the rule for each coach boat to only be assigned eight rowers each. He displayed pictures and video clips that depicted several instances where they have violated this rule and exceeded eight rowers. As the summer progressed, there was a tendency for them to have more rowers per the coaching boat. He feels the LLRC has shown a pattern of saying one thing and doing something completely different; for example, they say that they predominantly use the edges of the lake and not the middle, and he would counter that they rarely use the edge of the lake and are pretty much always right down the middle. He pointed out that in the pictures he had presented showing the number of rowers, it is clear that the boats were in the middle of the lake. They have also stated that they try to stay away from other lake users and he can personally attest to times when he has been out skiing and the LLRC came up at the end of their run and actually impeded their ability to use that portion of the lake. He would question their claim and assertion that they try to stay out of the users way. He noted that the LLRC has stated that some rowers from the club may come out to the lake on their own, so they are not necessarily subjected to the rower to coach ratio. He would argue that if they are a rower from the LLRC, that the club has to take responsibility for those rowers whether it is part of a coaching session or not. He stated that the boaters are all legally liable to yield for rowers; however, there is no reciprocating responsibility from the rowers to the boaters which means it is not an equitable relationship. He reiterated that the LLRC is heavily infringing on the boaters ability to freely enjoy the lake. He asked the City Council to begin discussing ways to hold the LLRC accountable to safety and Coast Guard rules on the lake because they have consistently broken the rules and there has been no recourse for their actions. He commented that a group of concerned citizens got together and came up with some ideas such as: reducing the hours of allowed usage; limiting the total number of LLRC rowers on the lake at any one time regardless of whether they are being coached or not; reduce the number of allowed coaches boats; have the same usage restrictions as personal watercrafts; restrict crossing the lake from point to point because they are choke points; limiting the number of rowing shells/boats; and restricting the rowing shells/boats to staying within a certain distance from the shoreline. He reiterated the request that the Council start discussing these issues before the safety issues become too burdensome for it to be corrected and overcome.

City Clerk Moeller asked Mr. Axelson if he would be willing to send her all his pictures and videos because she would like to share them with HCSO Water Patrol.

Council member Dyvik noted that he had submitted a picture to the City that showed 14 rowers in a coaches boat and encouraged Moeller to also share that photo with Water Patrol.

Brian Carpenter, 1776 Martha Lane - Mr. Carpenter noted that when he had served on the City Council, they had worked very hard to ensure that the lake was viable for the future. Millions of dollars were spent to make sure that the water quality of the lake was heading in the right direction, which was done for the harmonious use of the lake by all citizens and not for one group in particular. He commented that he has similar concerns to Mr. Axelson with what he has seen on the lake. First and foremost, there is a safety issue and he does not want the City to look back on these types of discussion and see that they could have put more safety precautions in the mix in order to prevent a powder keg from erupting. He thinks everyone on the lake is well intentioned, but all it takes is one slip for something like a new boater or a sunset situation where visibility is impaired and there will be problems on the lake. If the LLRC is allowed to move into a facility that is no longer within the confines of Long Lake, a lot of the control will be lost. It can be assumed that they will not build a facility in order to get smaller and he would expect their numbers to increase with that change. The lake is the City's biggest asset, but it will only be an asset if everyone can use it and

use it safely. He implored the Council to think hard about renewal of the CUP and consider some of the suggestions that have been made.

Council member Dyvik commented that if there are safety concerns or issues that are witnessed, residents should actually call 911. He stated that he understands people probably don't feel comfortable with that action because in their experience, 911 is just for emergencies; however, he explained that Hennepin County Water Patrol has instructed that they would like people to call 911. There is also an e-mail address that can be shared with residents. Lake use is under the authority of Hennepin County Water Patrol and the City has authority over the land use at Birch's through the CUP, but not as much over the use on the water. He emphasized that it needs to be clear that Hennepin County Water Patrol needs to be involved in getting this information. He reiterated that if residents see an issue, it is fine to contact the City, but they need to also be reporting it to Hennepin County Water Patrol.

Moeller mentioned that she had been in correspondence with Hennepin County Water Patrol prior to the Council meeting and was told today that if people see something, they need to call 911. She had also found their general e-mail address that she can provide residents. Hennepin County Water Patrol does not have much of a record of there being issues reported on the lake with the LLRC. Staff is happy that people feel comfortable contacting the City with what they have seen, but the Hennepin County Water Patrol needs to be notified, because they have the most authority over the water body. She explained that in order for the City to get the support of Water Patrol, Water Patrol will need to have a record of what the problems are because getting information from the City is secondhand and is not as important as the residents who are out there sharing what they are seeing and experiencing. She understands people may be hesitant to call 911, but it is what needs to be done for reporting purposes and encouraged residents to share this information with their friends and neighbors. She explained the change from calling the 'non-emergency' number versus 911 and clarified that now, everything is routed through the 911 system, so they have records and then it is dispatched and routed as needed.

BUSINESS ITEMS

Review City Goals Work Session Discussion

Moeller reported that goals review is an exercise that the Council goes through on either an annual or bi-annual basis. She stated that within the meeting packet given to Council members is a list of current goals as well as a listing of City goals that have been recently completed. Some goals that have been recommended to be added relate to ongoing communications and oversight with redevelopment projects in the community, ordinance related projects, and pedestrian safety improvements. Staff is further recommending a goal be added to maintain awareness of the Long Lake Rowing Crew's operations on the lake. Staff and Council discussed the updated goals list in detail at the work session held prior to the regular meeting. Once the goals list document has been updated to reflect changes discussed tonight, it will be posted online.

Council member Dyvik stated that he thinks the list is a great set of goals and he likes that there is a list of accomplished goals so people can see what is getting done. He noted that he would like to see a 'Lake' category and have all the lake related goals gathered under their own category. He added that he would just like to see something that is specific to the lake because it is the City's greatest asset and he feels lake related goals should be set apart from the other categories within the overall goals list.

Moeller confirmed that she could break out all the lake and water quality related goals and move them into their own category.

Mayor Miner asked if the Public Works goals for equipment purchases and replacement should be prioritized within the goals document.

Moeller indicated that she could do so and deferred to Public Works Director Diercks for his recommendation on those items.

Diercks responded that the City already has a backhoe and a plow truck so they would not be top priorities. He would prioritize them in order with the jetter first, sweeper second, with the backhoe and plow truck to follow.

Council member Kvale noted that on tonight's Consent Agenda, the Council had adopted a resolution related to waste reduction and asked about organics collection. She asked if there was a time period in which that had to be implemented.

Moeller replied that an organics collection ordinance will need to be presented in 2022. She expressed her preference for getting this done sooner rather than later so she is not also deep into election season. Staff had some prior concern that one of the smaller haulers would not be able to meet a mandate to provide organics service to their City customers, but she had just received notice that the hauler is selling to another entity. She clarified that the requirement that organics service be made available to residents is a mandate from the County, and this project has been included in the 'ordinance projects' section of the proposed goals.

Mayor Miner asked if City staff would be handling the update to the City website.

Moeller replied that the City's website was designed by GovOffice who has reached out to the City because an upgrade has not yet been done since the site's initial development. There will be a cost associated with the update, but she will be involved in how to reorganize and lay out the website. She feels it needs a change in the color scheme as well as a logo change because the one depicted on the website was a temporary one that was only used for a few years. She suggested that the word could be put out for people to submit photos for the website update.

Council member Kvale questioned if it would make sense to get a public opinion poll regarding the logo.

Moeller recalled that a prior Council had directed that the City go back to using the official City logo because the other logo was very difficult to work and takes up a lot of space in any document layout. She noted that the logo on the website was modeled a bit after a joke. Before the City had an official logo, someone had drawn essentially the shape of the lake and stuck it on documents, and it was humorously referred to as 'The Blob'. When the City paid a marketing consultant to go through a branding exercise, they latched onto the 'gag bag' version of a logo and proceeded to model a logo after that. She reiterated that a prior Council had directed staff to revert back to the City logo which is much cleaner and easier to use.

Council member Dyvik asked if the sewer lining project was included in the goals.

Moeller stated that it was not included in the current goals because the project has already been approved. The sewer lining project is now listed under accomplished goals, and the project work will be beginning next week. She stated that jetting, cleaning and televising for Sewer Districts #1 and #3 has been included under current goals.

Council member Kvale referred to Public Works Director Diercks about his priorities for some of his pricier items on the goals list.

Diercks indicated that he would probably prioritize furnace replacements at the shop as first, followed by windows at the shop, but noted that he had not put a lot of thought into prioritizing the remainder of the goals.

Moeller mentioned that the Public Works items are generally summarized as: complete Public Works building maintenance and repairs, including window replacements, furnace and cooling equipment replacements; obtaining an assessment of the Public Works building's roof condition; and repairing an exterior wall on the sand/salt facility.

Diercks added that updating the SCADA system would also be a strong priority in his opinion because it is over 20 years old.

Council member Dyvik questioned whether there was a reason the City-wide garage sale had not been held in a while.

Moeller replied that it was originally a Chamber of Commerce initiative that she had taken on for one year. She noted that it had not been on the priority list since then.

Council member Kvale asked if the City should suggest it to the Chamber of Commerce again.

Moeller stated that it could be included on the goals list, but noted that she had not been asked about it very frequently. She explained the potential difficulty with it overlapping with the absentee voting cycle in July or October and mentioned that she would be able to take it on in the spring.

Council member Kvale suggested that it not be added as a City goal but encouraged communicating with partners who may be interested in organizing the event.

Council member Dyvik noted that there may not be as much interest as in the past because now there are things like Facebook Marketplace where people can sell things throughout the year.

Moeller stated that she agreed, but a goal item could be included to revisit the City-wide garage sale.

Council member Kvale shared an example from when she lived in Bloomington where people would put their unwanted items, such as a bicycle that was too small for their child, at the curbside and other residents would come around with their flashlights during the evenings and many of the items would be gone by the morning.

Moeller clarified that Bloomington has a City spring clean-up day where the City contracts with a hauler to pick up items curbside, and people pick through items that have been set out each year before the hauler comes through. She suggested that perhaps the City could schedule the garage sale for some time in May, because that may be feasible and would not interview with her election duties. That will provide opportunity for staff and Council to see what the participation may be for consideration for holding it in upcoming years. She stated that if there are only four or five households that participate, it may not be the worth the effort.

Mayor Minor reminded the residents that the City's updated goals list, including the items that have been accomplished, would soon be posted to the City website.

Update on Symes Street Redevelopment Project Proposal

Moeller reminded the Council of the prior application they had approved in December 2021 by JMH Land Corporation for redevelopment of four properties along Symes Street for an 11 townhome project broken up into two buildings. The developer has informed staff that they will be making a

final plat application in February for review in March, assuming the application is complete. The developer closed on the purchase of all four properties on January 26. Based on her conversations with JMH, they plan to pursue making applications for demolition permits within the next week or two.

OTHER BUSINESS

Summit Park Proposal, Orono - Council member Feldmann stated that he has received some e-mails and phone calls from people who are upset at the potential boathouse proposal at Summit Park. He mentioned that there seems to be confusion because Summit Park is on Long Lake; however, it is the City of Orono's park. If individuals have concerns about the proposal for Summit Park, they should be directed to Orono, rather than Long Lake.

Organics Hauler Requirement - Council member Kvale asked if the City would upcharge for organics collection. Moeller clarified that the City would not be involved at all other than to mandate that the licensed haulers provide organics collection. The haulers will be providing the service and they will be the ones charging the customers, though Moeller expects that the City will participate in marketing and highlighting the organics collection opportunity.

ADJOURN

Hearing no objection, Mayor Miner adjourned the meeting by general consent at 7:16 pm.

Respectfully submitted,

Scott Weske
City Administrator